and mandamus was held to lie against the Lords of the Treasury to compel them to pay money granted by Parliament to a private person. *Rex v. Lords Commissioners,* 4 A. & E., 286. The American conflict of authorities is irreconcilable..

HOMICIDE—SELF-DEFENSE—RIGHT TO INVOKE.—UNDERWOOD V. STATE, 60 So. REP. (ALA.), 842.—*Held,* that to invoke the right of self-defense, one must have been free from all fault on provoking the difficulty with deceased.

There are several well established exceptions to the general rule laid down by the court. One who provokes a difficulty may defend himself against violence on the part of the one provoked if it is disproportionate to the seriousness of the provocation or greater than the law recognizes as justifiable under the circumstances. *Sams v. State,* 124 Ga., 25; *Bennyfield v. Commonwealth,* 13 Ky. L. R., 446. If the aggressor abandons the conflict, and is subsequently murderously assaulted, and kills in self-defense, he is not estopped to plead self-defense; but the withdrawal must be in such manner as to manifest clearly to his adversary his intention in good faith to desist. *Jackson v. State,* 2 Ala. App., 55; *Ferguson v. State,* 95 Ark., 428; *Padgett v. State,* 40 Fla., 451. *State v. Kellogg,* 104 La., 580. In a few states, the aggressor is not deprived of his right to take the life of another in self-defense unless his acts of provocation were committed with malicious intention. *Foutch v. State,* 95 Tenn., 711; *Thornton v. State,* 65 S. W., 1105 (Tex. Cr. App., 1901); *Hash v. Commonwealth,* 88 Va., 172; *State v. Taylor,* 57 W. Va., 228; see also *State v. Kretschmar,* 232 Mo., 29.

LIBEL AND SLANDER—PRIVILEGED COMMUNICATION.—FLANAGAN V. MCLANE, 87 ATL. (CONN.), 727; 88 ATL., 96.—*Held,* that where a woman suspected a workman of having stolen money and had written her suspicious to a constable asking him to investigate, a second letter written by her stating that she had found the money "in a place where we would never have put it", and that she would do no more about the matter, but that she still believed the workman to have stolen it, was a privileged communication if made honestly and in good faith. Roraback and Wheeler, JJ., *dissenting.*

Words which charge the plaintiff with the commission of a crime involving moral turpitude or subjecting the offender to infamous punishment are slanderous *per se. Hassett v. Carroll,* 85 Conn., 23; *Dennehy v. O'Connell,* 66 Conn., 175. But an occasion of privilege exists if the admitted circumstances under which an alleged libel is published are such that the law recognizes a duty on the part of the defendant to make the communication. *Atwater v. Morning News Co.,* 67 Conn., 504. Upon grounds of public policy communications which would otherwise be libelous are protected if they are made in good faith in the prosecution of an inquiry regarding a crime which has been committed, and for the purpose

of bringing to punishment the criminal. *Chapman v. Battle,* 124 Ga., 574; *Eames v. Whittaker,* 123 Mass., 342; *Cristman v. Cristman,* 36 Ill. App., 567. The majority of the court on the principal case held that the letter was still within the privilege of the defendant, in that the re-affirmation of her belief in the plaintiff's guilt was "for the guidance of the officer in case it was or might become his duty to pursue the investigation with a view to criminal proceedings." The dissenting opinion held that the letter, since it was written to stop any action by the officer in her behalf, did not come within the class of privileged communications.

PARENT AND CHILD—LIABILITY OF STEPFATHER—SUPPORT OF CHILD.—WHITE V. MCDOWELL, 132 PAC. REP. (WASH.), 734.—*Held,* that there is a duty upon a stepfather to support minor children of his wife by a former husband, which duty is something more than mere charity, and where the stepfather willingly fulfills that duty, recovery cannot be had by the wife against her divorced former husband for support of a child who was awarded to her custody.

A husband was not by the common law obliged to support the children of his wife by a former marriage. *Worcester v. Marchant,* 31 Mass., 510. And generally he is not required to support them unless he has voluntarily assumed the parental relation to them under circumstances that raise a presumption that he has undertaken to support them gratuitously. *Kempson v. Goss,* 69 Ark, 451. Nor is he required to support them where neither wife nor child resides with him. *Freeman v. Freeman,* 11 Ky. L. R., 822. The doctrine of the principal case is correct, however, to the extent that if a stepfather voluntarily assumes the care and support of a stepchild he stands *in loco parentis,* and under those circumstances the ordinary rules governing the parental relation will be held to apply. *Burba v. Richardson,* 14 Ky. L. R., 233; *Kirchgassner v. Rodick,* 170 Mass., 543; *In re Besondy,* 32 Minn., 387; *Sharp v. Cropsey,* 11 Barb. (N. Y.), 224; *Grossman v. Lauber,* 29 Ind., 618. The stepfather cannot then ask compensation for maintenance of his stepchildren; *Swetman v. Swetman,* 8 Ky. L. R., 266; and the stepchildren cannot ask compensation for services rendered in the absence of contract. *Kirchgassner v. Rodick, supra; Dixon v. Hosick,* 101 Ky., 231; the stepfather has a right to the services of the stepchildren and is liable to them for their support. *Mulhern v. Macdavitt,* 82 Mass., 405; *Livingston v. Hammond,* 162 Mass., 375; *Gillett v. Camp,* 27 Mo., 541; and in case of injury to the children, a right of action to recover for loss of services is given him to the exclusion of the mother. *Eickhoff v. Sedalia, etc., Ry.,* 106 Mo. App., 541. A distinction arises, however, where the stepfather is also guardian of his stepchildren and has funds of the latter under his control. He may then be allowed to apply a part of such funds to the support of his wards. *Latham v. Myers,* 57 Ia., 519; *In re Ward's Estate,* 73 Mich., 220; *Mull vs. Walker,* 100 N. C., 46; even though the stepchildren be members of his own family. *Pratt v. Baker,* 56 Vt., 70; *contra, In matter of Dissenger,* 39 N. J. Eq., 227. It has been held, too, that the marriage of a woman,